

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

SAUL LARA-PEREZ,

Petitioner,

v.

A. NEIL CLARK, Field Office Director, U.S.
Immigration and Customs Enforcement,

Respondent.

NO. C09-1696-RAJ-JPD

ORDER OF DISMISSAL

The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's return and motion to dismiss, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, and any objections¹ or responses to that, and the remaining record, finds and Orders as follows:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's petition for writ of habeas petition (Dkt. No. 6) and all pending motions are DISMISSED as moot;
- (3) The Clerk shall send a copy of this Order to the parties and to Judge Donohue.

¹ The cover letter accompanying the Report and Recommendation included the following statement: "Failure to file objections within the specified time waives the right to appeal any order by the District Court adopting this report and recommendation." Although a failure to file objections may mean that an appellate court will not review certain issues, it is not a waiver of the right to appeal. *See, e.g., Robbins v. Carey*, 481 F.3d 1143, 1146-47 (9th Cir. 2007). A party wishing to appeal the court's judgment despite not objecting to the Report and Recommendation may disregard the quoted sentence in the cover letter.

DATED this 25th day May, 2010.

A handwritten signature in black ink, reading "Richard A. Jones", written over a horizontal line.

The Honorable Richard A. Jones
United States District Judge